

# City of Milwaukee

# **Meeting Minutes**

## 200 E. Wells Street Milwaukee, Wisconsin 53202

# COMMUNITY SERVICE STAFFING TASK FORCE

ALD. TERRY WITKOWSKI, CHAIR

Deputy City Attorney Linda Burke, Larry Moore, William Gielow, David Feldmeier, David

Heard, Deputy Inspector Anna M. Ruzinski, David Schroeder

Staff Assistant, Diana Morgan, (414)-286-2231
Fax: 286-3456; E-mail:dmorga@milwaukee.gov
File Specialist, Joanna Polanco, 286-3926; E-mail: jpolan@milwaukee.gov

Friday, March 10, 2006 1:30 PM City Hall, Room 301-B

Meeting Convened: 1:40 P.M.

Members Present: Ald. Witkowski, Deputy City Attorney Burke, Mr. Moore, Mr. Gielow, Mr. Feldmeier, Mr. Heard and Deputy Inspector Ruzinski.

Members Excused: Mr. Schroeder.

#### **Others Present:**

Andrea Knickerbocker, Department of Employee Relations. Timothy McMurtry, Common Council President Willie Hines' Office. Cynthia Nowak, Fire and Police Commission.

1) Approval of minutes of the February 24, 2006 meeting

Motion by Ald. Witkowski to amend the minutes of the February 24, 2006 meeting to add under priority 4 calls for service "Traffic Direction".

Prevailed. 7-0.

Motion by Deputy Inspector Ruzinski to approve the minutes as amended. Seconded by Mr. Gielow.

Prevailed. 7-0.

2) Comments from Chairman

Ald. Witkowski advised members that the meeting would begin with a conference call with the Orlando Florida Police Department relative to their Community Service Officer (CSO) Program.

3) Telephone conference interview and member questions

Members directed questions to Lt. Driscoll, and Marge Sharp (Civilian Supervisor), of the Orlando Police Department relative the Community Service Officer program in Orlando,

Florida via telephone conference.

The following information was discussed during this session:

Mr. Gielow: What is the job title of the CSO personnel relative to areas of patrol and responsibility?

Lt. Driscoll: There are 3 step levels, 1, 2 and 3, with a title of Community Service Officer (CSO).

Mr. Gielow: Are there any areas in Orlando where you don't deploy CSOs'? Are there specific areas that you do, or is it pretty much citywide?

Lt. Driscoll: It is city wide, however there are areas we refer to as no-go areas. The occurrences, environment, individuals or behaviors at a specific address or on few occasions' street areas where there have been "Drive-bys" or an exorbitant number of violent crimes, those determine these areas.

Lt. Driscoll: This does change, it is a fluid list, we also keep a list at our communication center. We review it annually, with periodic changes when necessary.

Mr. Moore: Can you tell us about the sociology of the people who facilitate the roles of CSO, are they retired police officers, police officers in training or ordinary citizens?

Lt. Driscoll: Generally they are not police officers, but there are CSOs' with aspirations of becoming police officers in the future. CSOs' do typically learn some of the same things a sworn officer does. The background of CSOs' varies from probation and parole to cashiers. We go through the same type of hiring process that we would for entry-level police officer with a few exceptions. There are a few things that are not required in the background of a CSO that might be required in a sworn police officer.

Tim McMurtry: What are the training, union and collective bargaining implications CSOs' have had with regard to the regular police department?

Lt. Driscoll: I will address the training portion of the question. When CSOs are hired, they attend the police academy, through the junior college. All police academies in the State of Florida are on a junior college curriculum, which is standardized through the state. The only thing that CSOs' do not participate in is high liability, with the exception of driving. To clarify, they do not go to the range, self-defense tactics, or carry a taser, nor any other defensive weapons. They are skilled and trained in specific CSO functions and additional training to that of what a sworn officer would actually get. They do concentrate on crashes, forgery and report writing.

Further, sworn officers do not drive vehicles in training over 35 mph. In fact, all of the defensive driving training is done at 35 mph or less. CSOs' do participate in this training with the exception of blue lights and sirens. They are not allowed to use lights, however they do participate in the driving training because they respond to crashes on the highway and in traffic, they do have to drive through fire scenes etc. to get to some of the specific calls they handle. In addition, they receive abbreviated un-armed defensive training geared towards civilians who are not armed.

CSOs' are required to learn the department's use of force policy. They are armed with chemical spray and are required to learn the affects of the spray. CSOs' are also required

to were vest for protection and generally train in their vest. Additional training includes learning to remove themselves from harmful situations, for example, instances where they may be grabbed.

Mr. McMurtry: The second part of the question, collective bargaining implications with the union and sworn officers?

Lt. Driscoll: This is a little bit of a different situation in our department. The CSOs' in Orlando are a part of the civilian union, which is the SCIU, which is a part of the AFL-CIO. The sworn officers are under the paternal order of police union. The SCIU is a new union; this is our first contract with them, department wide. Before that, they were not unionized, so there are new implications. They are working within the union, so there are many differences in the way the CSOs' do things compared to that of sworn officers.

They are represented and sit at the table. It's new within its infancy, but we'll see how it plays out. So far they are working within the contract and it seems to meshing well with what the sworn officers, their union and our overall policies and procedures.

Ald. Witkowski: Could you elaborate about how CSOs' handle a situation where there is a crime in progress?

Lt. Driscoll: We don't dispatch CSOs' to in progress crimes, however Marge can give you some case and points. We have had several instances where one a CSO was driving down the road near a scene, where we had officers responding to a homicide. In Orlando we have different divisions, which work on different radio channels, so you may be near by, but on different radio frequency so you may not necessarily hear what's going on near by.

In one particular incident, a CSO encountered an individual who flagged her down, who was ultimately our homicide suspect. CSOs' are trained to call a situation like this in immediately, however the CSO did not know the individual was a suspect, who was flagging her down to get some medical assistance.

Normally, a CSO would use their radio to call for immediate backup and if necessary, drive away from the location if there is a situation that will put them in jeopardy. They are trained never to put themselves in harms way. We are generally able to dispatch a backup right away for immediate response.

Deputy I. S Ruzinski: How often are CSOs required to have an in service?

Lt. Driscoll: The state required updates on chemical agents, driving and driving physical. In addition they receive daily updates regarding various information.

For example, there was one instance where a CSO responded to a call for a stolen vehicle, the call was dispatched with no known suspect. However once on the scene the CSO learned that there was a suspect.

In a case like this the CSO is trained to get in their vehicle and drive away from the scene and watch if possible. If the situation presents any threat they are trained to leave the area immediately.

Ms. Sharp: We instill at both the academy and in field training the importance of the CSO being aware of their surroundings and being aware of what can happen, and use

various scenarios to educate the officers. In the 23 years I have worked with the CSO Program we have never had a CSO hurt or put in harms way.

Ald. Witkowski: How many hours of training do CSOs' receive?

Ms. Sharp: CSOs' attend the academy for approximately 4 1/2 months, and 12 weeks of field training, which is one-on-one with grading on various stages of field training, very similar to the training sworn officers receive.

Lt. Driscoll: Their paper work is similar, however they are not graded on the high liability because they do not participate in those. Otherwise their training is very similar to what sworn law enforcement officers receive.

Linda Burke: What is your litigation experience? Have you had any claims from citizens that the CSOs' were not properly trained, conversely have you had any claims by CSOs' at all?

Lt. Driscoll: No we haven't had any litigation. However, due to a recent decision by the State Attorney's Office, all of our CSOs' are notaries in the state of Florida. Law enforcement is by virtue of their positions they are notary's, granted by state law. The only issue we have had, under the traffic crash investigator statute, CSOs are traffic crash investigators and they are able to issue citations and write statements.

Some how we extended that into other areas, where they would respond to a burglary after the incident, and they would notarize the different statements. Our Assistant State Attorney, felt that sworn written testimony had to be sworn to, and since they did not fall under the sworn law enforcement category and it was beyond the purview of the scope of a traffic crash investigation that they could not notarize statements.

We resolved that by having everyone become a notary, other than that, there have been no legal issues or lawsuits.

Ald. Witkowski: What types of traffic related duties do CSOs have?

Lt. Driscoll: The CSOs' respond to all traffic crashes, whether they are personal injury or property damage. They do parking lot accidents, all roadways limited access highways, and they respond to all traffic crashes. They do not work traffic homicides; we have a special unit of traffic homicide investigators who work on these types of accidents.

In addition CSOs' do not investigate DUIs' or DUI related crashes, they would call for a sworn unit if they go to a scene and it appears the crash was alcohol related.

Ald. Witkowski: What type of citation writing power do they have?

Lt. Driscoll: They write criminal, but they don't do any arrest, they write moving, non-moving and moving infractions, non-moving infractions and drivers license. They do some criminal on driver's licenses but they would not do a reckless driving or a DUI.

Ald. Witkowski: Do they do traffic enforcement?

Lt. Driscoll: They don't do traffic enforcement, except as it relates directly to their traffic crash investigation. They do some follow-up on hit and runs; they just don't go to an

address where an individual may be arrested. But they will actually do some of the basic investigation, as far as a photo line-up to the victim. Again they do nothing related to an arrest.

Ald. Witkowski: Do they direct traffic?

Lt. Driscoll: Yes, they do. We utilize our CSOs' daily for traffic, they help out with all sorts of things; major intersections, parking and off duty and on duty as well. Including obstruction and construction.

Ald. Witkowski: You mentioned on-duty, off-duty, does that mean they hire out?

Lt. Driscoll: CSOs' are allowed to do off duty work, which is work we are hired to do by outside vendors such as highway construction. This is where a CSO would sit in their vehicle with their lights on to alert oncoming traffic that there is construction ahead.

There are also instances where a CSO will have their own specific job, where they are hired directly by a company to perform those responsibilities. The rate of pay for those off-duty jobs is lower than that of a sworn officer. The construction company generally does not have the need for a sworn officer to perform these duties.

Deputy CA Burke: Do the CSOs' were uniforms?

Lt. Driscoll: Yes they do.

Deputy CA Burke: Are they similar to police uniforms?

Lt. Driscoll: Yes, the difference is, they have a lighter blue, compared to the darker blue the sworn officers wear. Their patch indicates Orlando Police with a blue civilian rocker on it. In addition, they have a badge that says CSO or civilian. Their pants, shoes, boots and interior belt are the same as the sworn officers. Their exterior belt is a regular belt, they carry chemical spray, a radio, pager, flashlight, and a micro shield, which is a (CPR mask).

Deputy CA Burke: Do they use regular squads?

Lt. Driscoll: CSOs' drive a similar vehicle, it says Orlando Police, and it also says community service on the front corner panel, both right and left. The other difference is that these cars have red and white lights. Only Police in Florida can have blue lights.

Deputy CA Burke: You mentioned they direct traffic, what if someone disobeys an order from a CSO?

Lt. Driscoll: What they would do in that case, they are covered under the statue; a sworn officer would be called to the area to handle the situation.

Deputy CA Burke: You mentioned that they are covered under the statue; did you have to make any other changes to the statue to allow for community service?

Lt. Driscoll: The Florida State Statue covers traffic crash investigators; traffic crash investigators encompass other groups of people. The extensive training CSOs' receive at the academy does include traffic crash investigator training.

Deputy I. S. Ruzinski: Where do CSOs' fit into your supervisory rank structure within the police department?

Lt. Driscoll: North Patrol Division, which is under the patrol services bureau, has a Captain over the Patrol Division, a Lieutenant, who is the watch commander over the North Patrol Division, then there would be 3 CSO Supervisors and 3 individual squads consisting of 6-7 individuals. We anticipate further expansion in the near future.

If the assigned watch commander were not on duty, the CSO would report to another watch commander. Ultimately, the CSO would report to the assigned watch commander, who would forward everything up the chain. The supervisor is on a similar level with a street level supervisor, which would be a sergeant.

Deputy I. S. Ruzinski: In that same rank structure does a CSO Supervisor hold the same authority as a sergeant, would a CSO Supervisor hold the same authority as a police officer, where do they fit into the rank structure?

Lt. Driscoll: They are on par with a sergeant however; if there were an incident where a sworn supervisor was required the sworn sergeant would be in charge of the scene. It wouldn't matter if it were sworn civilian supervisor, cso or regular supervisor there; the difference is the type of situation.

If there were a criminal situation in progress, we would expect the sergeant to handle that scene based on the training and the experience. The CSO Supervisor would not handle an in progress or a sworn situation. Otherwise they do the same things and they supervisor the same.

Again, they are under the SCIU, and they have a civilian evaluation procedure so they don't do the same evaluation as the sworn officers. There are a lot of differences in the structure in that, CSOs' work more under city policy than sworn officers do. The sworn officers are governed under city policy to some degree however, not as many as the civilian officers. Also sworn officers have different policies and procedures in addition to their SOP contracts.

Ms. Sharp: One example would be at a traffic fatality scene, this type of scene can be totally run by a CSO Supervisor with CSOs' directing traffic or as the initial respondents handling the report and traffic crash investigation. We have many incidents where it doesn't involve sworn officers or sworn sergeants. This leaves sworn personnel available to handle in progress calls.

Lt. Driscoll: The traffic homicide investigators are not ranked they, are officers. There is a sergeant over that unit, when there is a major or multiple fatality, a sergeant may respond, but they would be participating as an traffic homicide investigator, not a supervisor on the scene.

Deputy I. S. Ruzinski: Say that in that instance you did have a fatal accident and you needed several CSOs' to do traffic containment and you CSO and a CSO Supervisor and there is no one else to respond except a sworn officer. Does the CSO Supervisor have authority over a sworn police officer?

Lt. Driscoll: Generally, sworn officers would prefer the CSO handle the crash.

Marge Sharp: In turn, if we need a sworn officer, they are generally there for a CSO with

no problem.

Deputy I. S. Ruzinski: I'm looking at this for the determination of liability.

Lt. Driscoll: Ultimately, if it came down to it, if there were an issue, a sworn Sergeant or a Lieutenant would have authority.

Deputy I. S. Ruzinski: Who pays for the CSO training?

Lt. Driscoll: We pay for their training in this department. We hire first, and then send the CSOs' to the academy.

Deputy I. S. Ruzinski: What other types of calls do CSOs' respond to other than traffic accidents, can they issue ordinance or minor violations and are they dispatched to handle calls within a residence?

Lt. Driscoll: They respond to most calls that are not in progress. For example if a call is dispatched indicating that a residence was burglarized and they think someone is still in the home, but is has not been searched. A sworn officer would respond.

They also respond to fraud and forgery, they respond to stolen recovered vehicles, some missing persons report as long as there is no foul play involved. However they do not respond to any violent calls.

Deputy I. S. Ruzinski: When a CSO starts an investigation they may require a arrest or a sworn officer to take over, have you had any complaints about the lag time that it may take for a sworn officer to appear on the scene?

Lt. Driscoll: We rarely receive complaints about our CSOs', in fact; we probably receive more complaints about our sworn officers.

If a CSO reported to a scene and it was determined that it was a commercial burglary scene, they would notify CID or our crime scene technicians. If it were not extensive, the CSO would handle the scene; they would lift fingerprints and do whatever was necessary to process that scene.

In addition, if a detective were needed he would respond or follow-up as if it were a sworn officer. Unless we can make an immediate arrest, our CID respond and do the follow-up investigation. If the incident were a domestic violence scene the sworn officer would handle that, as dictated by statue.

Andrea Knickerbocker: Could you forward a copy of your job description for the different levels for CSOs, as well as the compensation levels and the descriptions and compensation levels for police officers?

Ald. Witkowski: Mark Ramion will coordinate that.

Mr. Gielow: What is the current authorized strength of your CSOs in the entire city?

Lt. Driscoll: Our authorized strength is currently 25, we our in the process of hiring an additional 6 CSOs' to total 31 CSOs'. We have a request in our 2007 budget for an additional 16 CSOs'.

City of Milwaukee Page 7

Mr. Gielow: Do they work 24-7?

Lt. Driscoll: No they don't. They work three shifts with two of them overlapping significantly. We have a day shift that starts at 6:30 A.M.-2:30 P.M., a middle shift from 11:00 A.M. - 7:00 P.M. and evening shift from 1:15 P.M. - 9:15 P.M.

Those hours were developed based on our calls for service and cover our peek hours. Because we had limited staffing we tried to allocate our CSOs' to cover the peek hours where sworn officers were not necessarily needed.

We also had to work within the contract because the differential for the evening shift, at least half of their shift had to be after 5:00 P.M. By contract they still had to receive their differential for evening shift.

Mr. Gielow: Does Orlando have any data that could be shared with us relative to the break down for calls for service that CSOs have handled?

Mr. Gielow: How would your city and your department be impacted by the discontinuance of CSOs'?

Lt. Driscoll: I can't think of anything positive about the discontinuance of CSOs'.

Currently, sworn officers go from call to call. I couldn't imagine what we would do if we didn't have the CSOs' to handle our non-violent crimes.

We have had days when we did not have CSOs' on the street, such as a day of a funeral or an event. They really handle so many calls that free up our sworn staff.

One of the reasons we are looking to expand the CSO program is because they are so valuable and of course their salary and the requirements are different for that of sworn officers. Our statistics will validate this.

Mr. Feldmeier: What were some of the challenges when you created this program, such as legal challenges or statutory limits?

Lt. Driscoll: Again, we really haven't had any legal challenges other than the issue with the CSOs' be notary, which we have resolved. There haven't been injuries or issues that have had legal ramifications.

As far as the challenges, we have tried various ways of allocating the staffing the CSOs', we found that putting them in areas where they can respond to CSO type calls and sworn officers in areas where there more serious calls.

The contracts are different, they are governed more by city policies than sworn officers and the Supervisors over CSOs' are skilled and knowledgeable in the areas relating to their policies and procedures. So it really works better for us to have CSOs' supervised by CSO Supervisors.

Mr. Feldmeier: Have you had any problems with the sworn union accepting the CSOs'?

Lt. Driscoll: No there hasn't been, they are totally separate. The SOP is the sworn union and SCIU for CSOs', which is the same union as the garbage workers, sanitation workers, communications, and park workers.

There has been talk by CSOs about investigating becoming members of the SOP union, but right now that's just talk.

Ald. Witkowski: One of our concerns as we looked at possible challenges, was how citizens might respond to CSOs', have you had problems of this nature?

Lt. Driscoll: No, we probably get more thank you letters about how CSOs' deal with our citizens than we do for our sworn officers.

We have actually only had one incident where a citizen requested a sworn officer on the scene of an accident. Whenever that occurs we send a sworn officer to the scene.

We have also had instances where a sworn officer appears on a scene and the citizen requests a different sworn officer or a supervisor. We have really had very few complaints.

Ms. Sharp: In most instances citizens do not notice the difference between a sworn officer and a CSO.

Ald. Witkowski: What type of publicity surrounded the start of your CSO Program?

Ms. Sharp: Our CSO Program started in 1983 and was very well received by the public. The officers were skeptically initially because they felt there jobs would be threatened, but have since welcomed the CSO Program.

Lt. Driscoll: The only real negative between the CSOs' and sworn officers is that sometimes, the CSOs feel the sworn officers are dumping on them. The sworn may be on a scene and request a CSO. Sworn officers generally become upset when there is no CSO on the scene.

One other thing, our CSOs' also staff our school crossing on occasion.

Ald. Witkowski: Did your program begin with a pilot program?

Ms. Sharp: When I first started we were structured after Fort Lauderdale's community service aides. They have since disbanded their program.

The CSO Program was initially developed to respond to barking dogs.

Ald. Witkowski: At the time it began, were there initial savings to your police department.

Lt. Driscoll: Yes, there were definitely savings. That is why we are hoping to expand the program. I don't have data on hand, but definitely.

Ald. Witkowski: Has your response time for service improved?

Lt. Driscoll: Yes, tremendously.

Mr. Moore: What do your CSOs' do when they are not responding to calls?

Lt. Driscoll: They do many things; they do what is called action referrals. This involves things like looking for code violations, abandon vehicles etc. and report them to the appropriate departments. They do parking lot violations, blocked driveways etc., they respond to all those kinds of calls, as long as there is no disturbance.

Deputy I. S Ruzinski: Have you used the program as a step for movement into sworn officer status:

Lt. Driscoll: They don't get points, however we do eventually hire CSOs' as sworn officers when there is a desire.

Deputy I. S Ruzinski: Have you considered using CSOs for prisoner processing or booking?

Lt. Driscoll: No, we don't allow our CSOs' to have contact with prisoners.

Deputy I. S Ruzinski: What is your authorized strength of sworn officers and have you reduced your sworn officers due to hiring CSOs'?

Lt. Driscoll: Approximately, 900 sworn officers. I don't recall the exact number if any of reduction to sworn officers due to the hire of CSOs'. I can research and forward the data to vou.

Deputy I. S. Ruzinski: How many calls for service do sworn officers respond to in a year, as well as CSOs'?

Lt. Driscoll: I will forward you that information.

Ms. Nowak: What are the minimum qualifications to apply and what the difference is between the cso and sworn police officer?

- Lt. Driscoll: CSOs' are hired based on the outcome of the following requirements:
- -Not required to be U.S. Citizen
- -Take a Civil Service Examination
- -Submit both a pre-application and an application
- -Submit to a polygraph
- -Under go psychological testing
- -Medical Examination
- -Interview before the 3 CSO Supervisors and the CSO Watch Commander

The selections are setup through the chain and the ultimate decision is the Chief's.

Ms. Nowak: Is the age requirement 18 years of age?

Lt. Driscoll: The required age for a CSO is 18 years of age and 21 for a sworn Police Officer

Ms. Nowak: What about education, high school diploma and college degree?

Lt. Driscoll: The CSO position requires a high school diploma or equivalency, however most of our sworn officers have a degree of some type. Even though 21 year olds are eligible to apply as a sworn officer, we rarely higher them, mainly because not many apply.

Mr. Moore: What is the population of Orlando?

Lt. Driscoll: I believe 250,000. I will also forward that information to you.

Ald. Witkowski: If you were going to hire those 16 additional CSOs', how long would the entire process take?

Lt. Driscoll: That depends on the academy itself; we have start dates, so that would be whenever the next academy is scheduled. There are generally 3-4 academy classes per year. In some cases there could be a wait.

Ald. Witkowski: Do you have your own academy, or is this statewide or regional?

Lt. Driscoll: CSOs' attend the state community college. They have to enroll in the Criminal Justice Institute Academy.

David Feldmeier: During a typical hiring session, how many applicants do you normally see?

Lt. Driscoll: We have actually seen a decline, the norm would be approximately 50-150 however, recently the count has been 60-75 applicants. We have also seen a decline in our police applicants.

Mr. Heard: Are there promotional opportunities for CSOs'?

Lt. Driscoll: Right now the only promotional opportunities for the CSOs' are the 1-3 pay increase steps. The only other promotional opportunities would be the CSO Supervisor positions, which rarely has vacancies.

#### 4) Discussion of CSO Priorty List

The task force reviewed the tabulated list of priorities voted on by members at the February 27, 2006 meeting.

### 5) Reports from members

Deputy Inspector Ruzinski submitted materials from Indianapolis relative to collective bargining agreements, job descriptions, training schedule and agenda for Public Safety Officer positions.

#### 6) Legislative Reference Bureau research

Mr. Ramion provided a copy of the 2004 Summary of Motor Vehicle Traffic Accidents Report for review by members.

The purpose of reviewing the data contained in this report was to analyze the possibility of traffic accidents as a job responsibility for the Community Service Officer.

In addition, Mr. Ramion provided follow-up information relative to the pension rules governing the reemployment of retired employees and their return to active service.

### 7) Future direction of task force:

Task force members will review information from Deputy City Attorney Burke regarding the legal guidelines necessary to implement specific job responsibilities to Community Service Officers.

Deputy Inspector Ruzinski will provide data detailing the number of auto accidents that occur in the city of Milwaukee.

Mr. Ramion will provide an outline for the task forces' final recommendations in addition to revisions to the calls for service priority list.

8) Next meeting date and time:

Friday, March 24, 2006, 1:30 P.M.

Meeting Adjourned: 3:36 P.M.

Diana Morgan Staff Assistant

City of Milwaukee Page 12